#### TITLE 12 – DEPARTMENT OF JUSTICE

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the Private Protective Service Board intends to amend the rule cited as 12 NCAC 07D .0901.

Agency obtained G.S. 150B-19.1 certification:  ☐ OSBM certified on: ☐ RRC certified on: December 19, 2013 ☐ Not Required
Link to agency website pursuant to G.S. 150B-19.1(c): www.ncdoj.gov
<b>Proposed Effective Date:</b> June 1, 2014
Dill II '

**Public Hearing:** 

**Date:** February 25, 2014

**Time:** 2:00 p.m.

Location: 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612

**Reason for Proposed Action:** The intent of the rule originally was to lessen the burden on those persons not required to attend the entire course; however, since the North Carolina Justice Academy charges the Board for all five (5) days regardless of the number of days a person attends, the Board is absorbing the additional amount. This rule amendment will now require all applicants to pay the same course fee amount.

Comments may be submitted to: Anthony Bonapart, PPSB Deputy Director, 4901 Glenwood Avenue, Suite 200, Raleigh, NC 27612

Comment period ends: April 4, 2014

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

☐ State funds affected
☐ Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
☐ Local funds affected
☐ Substantial economic impact (≥\$1,000,000)
☐ No fiscal note required by G.S. 150B-21.4

### CHAPTER 07 - PRIVATE PROTECTIVE SERVICES

#### SUBCHAPTER 07D - PRIVATE PROTECTIVE SERVICES BOARD

## **SECTION .0900 - TRAINER CERTIFICATE**

# 12 NCAC 07D .0901 REQUIREMENTS FOR A FIREARMS TRAINER CERTIFICATE

- (a) Firearms trainer applicants shall:
  - (1) meet the minimum standards established by Rule .0703 of this Subchapter;
  - (2) have a minimum of one year of supervisory experience in security with a contract security company or proprietary security organization, or one year of experience with any federal, state, county or municipal law enforcement agency;
  - (3) attain a 90 percent score on a firearm's prequalification course approved by the Board and the Attorney General, with a copy of the firearm's course certificate to be kept on file in the administrator's office;
  - (4) complete a training course approved by the Board and the Attorney General which shall consist of a minimum of 40 hours of classroom and practical range training in handgun and shotgun safety and maintenance, range operations, night firearm training, control and safety procedures, and methods of handgun and shotgun firing;
  - pay the certified trainer application fee established in 12 NCAC 07D .0903(a)(1); and

- successfully complete the requirements of the Unarmed Trainer Certificate set forth in Rule .0909 of this Subchapter.
- (b) The applicant's score on the prequalification course set forth in Subparagraph (a)(3) of this Rule is valid for 180 days after completion of the course.
- (c) In lieu of completing the training course set forth in Subparagraph (a)(4) of this Rule, an applicant may submit to the Board a current Criminal Justice Specialized Law Enforcement Firearms Instructor Certificate from the North Carolina Criminal Justice Education and Training Standards Commission.
- (d) In lieu of Subparagraphs (a)(2) and (4) of this Rule, an applicant may establish to the Board's satisfaction a military occupational specialty and two years of verifiable experience within the past five years in the U.S. Armed Forces as a firearms instructor.
- (e) All applicants subject to this Paragraphs (c) and (d) of this Rule shall comply with the provisions of Subparagraph (a)(3), pay one half the course fee amount, amount as set forth in Rule .0903 of this Subchapter, and complete the eight hour course given by the Board on rules and regulations.
- (f) In addition to the requirement of 12 NCAC 07D .0200, an applicant for a firearms trainer certificate that who is the spouse of an active duty member of the U.S. Armed Forces shall establish to the Board's satisfaction:
  - (1) the spouse holds a current license, certification or registration from another jurisdiction and the other jurisdiction's requirements are substantially equivalent to or exceed the Board's requirements; and
  - (2) the spouse has two years of verifiable experience within the past five years as a firearms instructor.
- (g) A Firearms Trainer Certificate expires two years after the date of issuance.

Authority G.S. 74C-5; 74C-13; 93B-15.1.